

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

VITTORIO ABBRUZZINO

Plaintiff,

v.

Case No. 08-cv-11534

DR. CRAIG HUTCHINSON, et al.,

Defendants

ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

This matter was referred to United States Magistrate Judge Michael Hluchaniuk pursuant to 28 U.S.C. §636(b)(1)(B) and Local Rule 72.1. In his December 18, 2009 report, the magistrate judge recommends that this court grant Defendants' motion for summary judgment.

No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C), thus further appeal rights are waived.¹ Having reviewed the file and the report, the court concludes that the findings and conclusions of the magistrate judge are correct and adopts the same for purposes of this order. Accordingly,

¹The failure to object releases the court from its duty to independently review the report and recommendation. See *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Any objection was due within fourteen days of service, Fed. R. Civ. P. 72(b)(2). No objection has been filed as of the date of this order.

IT IS ORDERED that the magistrate judge's December 18, 2009 "Report and Recommendation" [Dkt. # 63] is ADOPTED IN FULL AND INCORPORATED BY REFERENCE.

IT IS FURTHER ORDERED that, for the reasons set forth in the magistrate judge's Report and Recommendation, Defendants' "Motion for Summary Judgment" [Dkt. # 55] is GRANTED.

S/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: January 21, 2010

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, January 21, 2010, by electronic and/or ordinary mail.

S/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522